

an OSC 2 from January 2010 to January 2016, an Assistant Housekeeping Supervisor 1 from September 2000 to January 2010, a Crew Supervisor Building Maintenance from January 1993 to September 2000 and a Senior Building Maintenance Worker from December 1991 to January 1993. As the appellant did not possess a Bachelor's degree, per the substitution clause, the appellant needed eight years of nonsupervisory experience and one year of supervisory experience. Agency Services did not credit the appellant with any experience.

On appeal, the appellant asserts that she performed out-of-title duties as an OSC 1 and 2 from 2010 to 2018. She presents that the job description for the OSC titles series is based on the safety of employees. However, the appellant indicates that this has been only one small part of the work that she has been performing for the past 10 years. She presents that in 2018, she visited a sister facility to assist with its Safety Program and she noticed that its Safety Director held the subject title. The appellant indicates that she had several more duties than this individual. Additionally, she represents that this Safety Director was formerly an OSC 1. The appellant submits her Performance Assessment Reviews (PAR) which she believes clearly define her role as being well above the OSC title series. She states that as the most senior member of the Safety Department at her facility, she has been instrumental in implementing practices and developing procedures and policies to safeguard both employees and patients.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides, in pertinent part, that applicants for promotional examinations shall meet all requirements contained in the announcement by the announced closing date.

N.J.A.C. 4A:4-6.3(b) provides, in pertinent part, that the appellant shall have the burden of proof.

In this matter, Agency Services correctly determined that the appellant was not eligible for the subject examination. It did not credit the appellant for her provisional service in the subject title as it indicated that the appellant mainly copied the job specification from the subject title and did not describe in her own words the duties that she was performing in this title. Regardless, even if the appellant was to receive credit for her provisional service, this would not provide her eight years of the required experience. Additionally, Agency Services did not credit the appellant for her experience in the OSC title series as it indicated that the appellant's duties while working in this title series were safety, security and risk assessment. The appellant claims that she has been working out-of-title in the OSC title series because this title series is primarily focused on occupational safety (employee safety) where she was also responsible for patient safety and building safety, security and fire protection. The appellant submits her PARs as an OSC and while provisionally serving in the subject title to support her claim. A review of her PARs indicates that the Major Goal of the appellant while working in these titles was to manage the "APH Safety Program in accord with Joint Commission regulation, NFPA 101 and NJ Fire codes." Further, her job responsibilities primarily focused on safety and security. Therefore,

even if it is true that the appellant's experience was beyond occupational safety experience, there is no indication in her PARs that her primary duties involved the required experience. While building safety, security and fire protection programs may be in the examples of work for the job specification for the subject title, incumbents in this title primarily perform work which involves building operational and fiscal analysis that encompass more than just safety and security concerns. It is also noted that the appellant was recently provisionally appointed as a Program Specialist 4, Social/Human Services. This is a job title that involves experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program. Unless the appellant's job duties significantly changed upon this provisional appointment, there is nothing in the record that indicates that the appellant has performed duties related to this job title. Therefore, the Civil Service Commission finds that appellant's current position classification be referred to Agency Services for review.

ORDER

Therefore, it is ordered that the appeal be denied, and the matter of the classification of the appellant's current provisional position classification be referred to Agency Services for review.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 29TH DAY OF APRIL, 2020

Deirdre' L. Webster Cobb

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